

OFFICIAL COPY

Fresno, California

June 27, 2006

The City Council met in regular session at the hour of 8:30 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Mike Dages	Councilmember
	Henry Perea	Acting Council President
	Cynthia Sterling	Councilmember
	Larry Westerlund	Councilmember
	Jerry Duncan	Council President

Andy Souza, City Manager
 James Sanchez, City Attorney
 Becky Klisch, City Clerk
 Yolanda Salazar, Assistant City Clerk

Grace Young of Baha'i Faith gave the invocation, and Councilmember Dages led the Pledge of Allegiance.

PROCLAMATION OF "FRESNO FUEGO SOCCER TEAM DAY" - COUNCILMEMBER DAGES

RESOLUTION OF COMMENDATION TO RON PARENTI - COUNCILMEMBER STERLING

PROCLAMATION RECOGNIZING MARIA TREVINO, DEPARTING PRESIDENT OF THE WOMEN PEACE OFFICERS' ASSOCIATION (WPOA) - ACTING PRESIDENT PEREA

The above proclamations and resolution were read and presented.

RECOGNITION OF SUPERVISORS ACADEMY GRADUATES

Recognized.

APPROVE MINUTES OF JUNE 15, 19 AND 20, 2006:

On motion of Acting President Perea, seconded by Councilmember Dages, duly carried, RESOLVED, the minutes of June 15, 19 and 20, 2006, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

Councilmember Westerlund noted a fruit fly was found at FYI back in April and stated although it was testament to the fact that the Federal Inspection Station was working it also made him nervous and stated further steps needed to be taken, and noted there was also a quarantine here in Fresno a few months ago and advised he was working the Transportation Director as this was such an important issue for the Central Valley.

Acting President Perea, pursuant to AB 1234, advised he was in Sacramento last Tuesday morning to attend a meeting called by the Governor of all his Latino appointees to discuss various issues and primarily the State budget.

President Duncan stated after last Thursday night's budget session he neglected to thank City Clerk Klisch, his Chief of Staff Barrett, and ISD staff for all their work and assistance during the entire budget process and for getting the voting system in place. President Duncan also thanked Public Works staff for the planting on Nees Avenue between First and Fresno Streets, and Parks staff for taking care of a problem on Friant Road.

APPROVE AGENDA:

(1-O) RESOLUTION - 18TH AMENDMENT TO SALARY RES. 05-290 MODIFYING SALARIES IN EXHIBIT 1, NON-SUPERVISORY BLUE COLLAR AND ADDING THE CLASSIFICATIONS OF COLLECTION SYSTEM MAINTENANCE OPERATOR I, COLLECTION SYSTEM MAINTENANCE OPERATOR II AND COLLECTION SYSTEM MAINTENANCE OPERATOR III

City Clerk Klisch advised the title was being corrected by adding the italicized wording as follows: "18th amendment to Salary Res. 05-290 modifying salaries in Exhibit 1, Non-Supervisory Blue Collar and *retitling of the Sewer Worker job classifications to the classifications of Collection System Maintenance Operator I, ...*". So noted.

(9:15 A.M. "B") AUTHORIZATION TO PROCEED WITH THE FORMATION OF A UTILITY COMMISSION

1. RESOLUTION - APPROVING THE ESTABLISHMENT OF COUNCIL POLICY TO INCREASE UTILITY FEES, i.e., WATER, SEWER/WASTEWATER, SOLID WASTE AND COMMUNITY SANITATION, AND DIRECTION RELATED TO PROCESS FOR INITIATION

City Clerk Klisch advised the above Resolution was part of President Duncan's 11:15 A.M. item but was inadvertently listed under this item. So noted and moved.

(10:00 A.M. #1a.) CONSIDER THE MAINTENANCE AGREEMENT FOR PROPOSED SPECIAL TAX DISTRICT - CFD NO. 12 - COPPER RIVER RANCH

1. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO ENTER INTO A MAINTENANCE AGREEMENT FOR COPPER RIVER RANCH SPECIAL TAX DISTRICT UPON COMPLETION OF CFD NO. 12 FORMATION

-and-

(10:00 A.M. #1b.) HEARING ON THE FORMATION OF A SPECIAL TAX DISTRICT, CFD NO. 12 - COPPER RIVER RANCH, AND AUTHORIZE LEVY OF SPECIAL TAXES

1. RESOLUTION - OF FORMATION TO ESTABLISH CFD NO. 12 AND AUTHORIZE LEVY OF A SPECIAL TAX

2. RESOLUTION - CALLING A SPECIAL MAILED-BALLOT ELECTION

3. RESOLUTION - DECLARING ELECTION RESULTS

4. BILL - LEVYING A SPECIAL TAX FOR PROPERTY TAX YEAR 2006-2007 AND FUTURE TAX YEARS

Continued to July 18, 2006, at 10:30 a.m.

(10:00 A.M. #2) CONTINUED HEARING ON CFD NO. 3, ANNEXATION NO. 121, TRACT NO. 5300

1. RESOLUTION - ANNEXING TERRITORY AND AUTHORIZING THE LEVY OF A SPECIAL TAX

2. RESOLUTION - CALLING A SPECIAL MAILED-BALLOT ELECTION

3. RESOLUTION - DECLARING ELECTION RESULTS

4. BILL - LEVYING A SPECIAL TAX FOR PROPERTY TAX YEAR 2006-2007 AND FUTURE TAX YEARS

Continued to July 18, 2006, at 10:00 a.m.

(2:00 P.M. "B") BUDGET HEARING OF THE REDEVELOPMENT AGENCY

1. AGENCY RESOLUTION - APPROPRIATING THE FY 2006-2007 BUDGET TO THE REDEVELOPMENT AGENCY

2. AGENCY RESOLUTION - APPROVING THE ALLOCATION OF \$50,000 FOR THE ENTREPRENEURIAL OPPORTUNITY COMPETITION UPON RECEIPT OF MATCHING FUNDS FROM THE PRIVATE SECTOR

Chair Sterling moved the above two items to the regular Redevelopment Agency meeting at 2:15 p.m.

On motion of Councilmember Westerlund, seconded by Acting President Perea, duly carried, RESOLVED, the **AGENDA** hereby approved, as amended, by the following vote:

Ayes :	Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes :	None
Absent :	None

147-276

6/27/06

ADOPT CONSENT CALENDAR:

Gloria Torrez spoke to Item **1-Q** stating there was no breakdown on the where the funds were going, stated the item was not complete without that, and requested she be provided with the funding breakdown.

Councilmember Calhoun pulled Item **1-Q** and Councilmember Boyajian pulled Item **1-E** from the Consent Calendar for discussion and action under "Contested Consent".

(1-A) AUTHORIZE THE CHIEF OF POLICE TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH W. SOLUTIONS, INC., FORMERLY KNOWN AS WELLNESS SOLUTIONS, INC., FOR THE PURPOSE OF CONTINUING A HEALTH FITNESS PROGRAM FOR THE POLICE DEPARTMENT FOR THREE MONTHS

(1-B) APPROVE AN INTER-DEPARTMENTAL TRANSFER OF 76.81 ACRES OF REAL PROPERTY FROM THE DEPARTMENT OF PUBLIC UTILITIES/WASTEWATER MANAGEMENT DIVISION TO THE POLICE DEPARTMENT FOR THE DEVELOPMENT OF A REGIONAL PUBLIC SAFETY TRAINING CENTER

(1-C) RESOLUTION NO. 2006-239 - INTENT TO ANNEX FINAL TRACT NO. 5294 TO CFD NO. 2, ANNEXATION NO. 129, AND SETTING THE PUBLIC HEARING FOR AUGUST 15, 2006

(1-D) RESOLUTION NO. 2006-240 - INTENT TO ANNEX FINAL TRACT NO. 5229 TO CFD NO. 2, ANNEXATION NO. 117, AND SETTING THE PUBLIC HEARING FOR AUGUST 15, 2006

(1-F) RESOLUTION NO. 2006-241 - INTENT TO ANNEX FINAL TRACT NO. 5342 TO CFD NO. 11, ANNEXATION NO. 8, AND SETTING THE PUBLIC HEARING FOR JULY 18, 2006

(1-G) RESOLUTION NO. 2006-242 - INTENT TO ANNEX FINAL TRACT NO. 5287 TO CFD NO. 2, ANNEXATION NO. 128, AND SETTING THE PUBLIC HEARING FOR AUGUST 15, 2006

(1-H) RESOLUTION NO. 2006-243 - APPROVING THE SUMMARY VACATION OF A PORTION OF A WATER UTILITY EASEMENT LOCATED AT FASHION FAIR

(1-I) APPROVE UTILITY AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) COVERING CONSTRUCTION AND ADMINISTRATION COSTS TO RELOCATE THE CITY'S WATER AND SEWER FACILITIES WITHIN THE FREEWAY 180 WEST RIGHT-OF-WAY, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO EXECUTE THE AGREEMENTS ON BEHALF OF THE CITY SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY'S OFFICE

(1-J) APPROVE AN AGREEMENT WITH THE VERNAL GROUP IN THE AMOUNT OF \$130,500 FOR PREPARATION OF PLANS, SPECIFICATIONS AND COST ESTIMATES FOR IMPROVEMENTS TO THE MUNICIPAL SERVICE CENTER ANNEX

(1-K) REJECT ALL BIDS RECEIVED FOR A 1-YEAR REQUIREMENTS CONTRACT WITH PROVISIONS FOR TWO 1-YEAR EXTENSIONS TO REMOVE AND/OR INSTALL GRANULAR ACTIVATED CARBON

(1-L) APPROVE THE ASSIGNMENT OF THE LAND AND BUILDING LEASE AND AGREEMENT WITH FYI COVERING AN AUTOMOBILE SERVICE STATION LOCATED AT THE CORNER OF MCKINLEY AND PEACH AVENUES FROM MR. AND MRS. WARREN MAGUIRE, JR. TO VINAY AND VIKRAM VOHRA, WITH A RELEASE OF THE MAGUIRE'S LEASE, AND AUTHORIZE THE DIRECTOR OF AVIATION TO EXECUTE ALL THE REQUIRED DOCUMENTS, THE FORM OF WHICH TO BE APPROVED BY THE CTY ATTORNEY

(1-M) RESOLUTION NO. 2006-244 - AUTHORIZING THE APPLICATION FOR FY 2006 CYCLE U.S. DEPARTMENT OF HOMELAND SECURITY/OFFICE OF DOMESTIC PREPAREDNESS "ASSISTANCE TO FIREFIGHTERS" STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FUNDING, AND AUTHORIZING COMPLETION OF DOCUMENTS

(1-N) RESOLUTION NO. 2006-245 - APPROVING THE FINAL MAP OF TRACT NO. 5442 AND ACCEPTING DEDICATED PUBLIC USES THEREIN, PROPERTY LOCATED ON THE WEST SIDE OF S. CLOVIS BETWEEN THE UNION PACIFIC RAILROAD AND E. CHURCH AVENUE ALIGNMENT

147-277

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1. AUTHORIZE THE PUBLIC WORKS DIRECTOR AND THE PLANNING & DEVELOPMENT DIRECTOR TO EXECUTE THE NECESSARY DOCUMENTS

(1-O) RESOLUTION NO. 2006-246 - 18TH AMENDMENT TO SALARY RES. 05-290 MODIFYING SALARIES IN EXHIBIT 1, NON-SUPERVISORY BLUE COLLAR AND RETITLING OF THE SEWER WORKER JOB CLASSIFICATIONS TO THE CLASSIFICATIONS OF COLLECTION SYSTEM MAINTENANCE OPERATOR I, COLLECTION SYSTEM MAINTENANCE OPERATOR II AND COLLECTION SYSTEM MAINTENANCE OPERATOR III

(1-P) RESOLUTION NO. 2006-247 - 17TH AMENDMENT TO SALARY RES. 2005-290 ADDING TWO (2) CLASSIFICATIONS: HELICOPTER PILOT-IN-TRAINING AND HELICOPTER PILOT EFFECTIVE JUNE 27, 2006

(1-R) AWARD A CONTRACT TO LOOMIS, FARGO & CO TO PROVIDE ARMORED TRANSPORT SERVICE TO THE CITY OF FRESNO

On motion of Councilmember Sterling, seconded by Councilmember Dages, duly carried, **RESOLVED**, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes : None
Absent : None

CONTESTED CONSENT CALENDAR:

(1-E) RESOLUTION NO. 2006-248 - INTENT TO ANNEX FINAL TRACT NO. 5555 AS ANNEXATION NO. 9 TO CFD NO. 11, AND SETTING THE PUBLIC HEARING FOR JULY 18, 2006

Assistant Public Works Director Kirn and City Attorney Sanchez responded to questions of Councilmember Boyajian relative to whether high quality streets were now being substituted, how much longer the streets will last, if this was another condition added, timeframe for the impact and maintenance fees, fees being implemented on new entitlements, if road monitoring will occur, and cost for the programmed effort.

On motion of Councilmember Boyajian seconded by Councilmember Dages, duly carried, **RESOLVED**, the above entitled Resolution No. 2006-248 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes : None
Absent : None

(1-Q) RESOLUTION NO. 2006-249 - CONCERNING LOCAL TRANSPORTATION PURPOSE FUNDS "MEASURE C"

1. AUTHORIZE THE CITY MANAGER TO EXECUTE THE LOCAL TRANSPORTATION PURPOSES CERTIFICATION AND CLAIM FORM

Councilmember Calhoun stated his question was answered and made a motion to approve.

On motion of Councilmember Calhoun, seconded by Acting President Perea, duly carried, **RESOLVED**, the above entitled Resolution No. 2006-249 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes : None
Absent : None

(9:00 A.M.) PUBLIC COMMENT PERIOD:

147-278

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(A) SCHEDULED COMMUNICATION:**1. APPEARANCE BY REPRESENTATIVES OF AMERICAN YELLOW CAB TO DISCUS MODIFICATION OF THE TAXI CAB REGULATIONS**

Jose Cortez, representing taxi cab owner/operators, expressed concern with the inspection fees stating the amount was out of reach, and asked the effective date of the new ordinance be extended to December to ready or replace fleet if needed and to open a dialog with the City Manager to detail concerns in person. Assistant City Manager Rudd addressed Mr. Cortez' comments and requested staff be allowed to continue to work with the cab companies.

2. APPEARANCE BY DR. DAVID J. HOWARD TO DISCUSS AN ISSUE AT THE HINTON CENTER

Dr. Howard expressed concern that the City turned the Center over to the community and stated the community knows nothing about running the Center and elaborated **(2 - 0)**. (Additional speakers spoke under "Unscheduled Communication".)

3. APPEARANCE BY DONALD JADOON REQUESTING THE CITY MAINTAIN PROPERTY ON THE NORTH SIDE OF SHEPHERD BETWEEN MAPLE AND CHESTNUT AVENUES

Mr. Jadoon expressed concern with the hazards he stated the City created and explained, and reiterated a prior request that the City provide liability insurance. Upon a later question of Councilmember Boyajian, President Duncan stated staff was working on the matter.

(B) UNSCHEDULED COMMUNICATION:**APPEARANCE BY PAMELA YOUNG EXPRESSING CONCERN WITH THE CITY TURNING OVER THE HINTON CENTER WITHOUT COMMUNITY INPUT**

Appearance made and concerns expressed with Ms. Young requesting Council reconsider their decision and include the public.

APPEARANCE BY IVY ROBERTS, INTERIM HINTON CENTER BOARD MEMBER, RESPONDING TO HINTON CENTER CONCERNS

Appearance made with Ms. Roberts stating she was not aware of the concerns and added she wished Dr. Howard and Ms. Young had contacted Board members first, stated things were being done that had not been done in the past years and explained, and spoke to their efforts and to their close working relationship with P & R staff.

APPEARANCE BY BARBARA DUNN, 1476 WISHON, REGARDING APARTMENT FIRE INSPECTION

Ms. Dunn spoke to the improvements she made to the complex and to two notices she received from the Fire Department about an inspection but stated no physical inspection had been made and elaborated. Councilmember Boyajian stated he was unaware of this matter and acknowledged the owners have worked hard and improved the complex. Upon question of President Duncan, City Manager Souza stating staff would work with the owners.

APPEARANCE BY LORAN HARDING REGARDING UTILITY RATES AND THE FORMATION OF A COMMISSION

Mr. Harding stated a lot of people live on fixed incomes and suggested the City contact PG&E to obtain the names of people who are on the PG&E CARE Program for reduced utility rates.

APPEARANCE BY CARRIE FAGANS-DAVIS, FAGAN'S IRISH PUB, REGARDING DOWNTOWN PARKING

Ms. Fagans-Davis stated she was here because she was asked to come back, thanked Council for the quick response, and relative to the new change requested the City make it clear to people when they will be allowed to park free and explained. President Duncan explained the process and when the changes would be finalized.

(9:15 A.M.) APPROVE EXTENSION OF THE MANAGEMENT AGREEMENT WITH SMG FOR MANAGEMENT SERVICES AT THE CONVENTION CENTER**147-279****6/27/06**

M.A. Zieba reviewed the issue as contained in the staff report as submitted and recommended approval, and along with City Manager Souza and SMG General Manager Overfelt responded to questions and/or comments of Councilmembers Dages and Boyajian relative to whether SMG owed money to the City money for transfer of services, if this action was the renewal or intent to give SMG notice, request for a breakdown on the \$426,000, if it was legal to take money from the concessionaire reserve account to pay SMG, and additional questions on the reserve account. Councilmember Boyajian stated this was an important matter, he had heard many things about SMG, both good and bad, and stated he would have liked to have had a hearing on this as he had some doubts and elaborated.

A motion and second was made to approve staff's recommendation. Councilmember Calhoun stated this was one of the smartest things the City did, he was very pleased with SMG as they have done an outstanding job, and stated SMG could only continue to improve. Councilmember Sterling stated, she too, had concerns originally, noted she has had many meetings with Mr. Overfelt and staff and good information was provided, and stated there were still challenges and SMG was doing a good job and requested she be kept in the loop on any issues that may arise. President Duncan stated he concurred with Councilmember Calhoun's comments.

On motion of Councilmember Westerlund, seconded by Councilmember Calhoun, duly carried, RESOLVED, the City Manager authorized to execute the letter included in the staff report extending the Management Agreement with SMG, by the following vote:

Ayes : Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : Boyajian
 Absent : None

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(9:45 A.M.) PRESENTATION BY THE FRESNO COUNCIL OF FRESNO COUNTY GOVERNMENTS (COG) REGARDING MEASURE "C" EXTENSION PLAN**1. RESOLUTION NO. 2006-250 - APPROVING COG'S MEASURE "C" EXTENSION (½ CENT SALES TAX FOR TRANSPORTATION PURPOSES) EXPENDITURE PLAN AND SUPPORTING PLACEMENT OF THE EXTENSION ON THE NOVEMBER BALLOT**

Barbara Goodwin, Executive Director of COG, gave a PowerPoint presentation on the 2006 Measure "C" Extension Expenditure Plan, all as contained in the written material as submitted.

Speaking to the issue were: Jeff Reid, Valley Taxpayers Coalition; Tom Bailey, President, Fresno Area Residents for Rail Consolidation; Mary Savala, League of Women Voters; Ed Eames, Steering Committee member; Gloria Torrez; Al Smith, Chamber of Commerce; Ken Steitz; and Jeff Roberts, BIA.

Ms. Goodwin and committee members were thanked for all their work and efforts and lengthy discussion ensued with Councilmembers Dages, Boyajian, President Duncan, and Councilmembers Westerlund, Calhoun and Sterling all speaking to the issue and presenting questions and comments including support for the 20-year extension (versus 30 years), the projects being picked extremely well, bullet train funding, bonding for Freeway 99, the citizens oversight committee, what new technology was being looked at, if Mr. Reid was involved in the entire process and advocated his changes, **(4 - 0)** Freeway 99 upgrades and funding, Freeway 99 Business Plan, the survey conducted and what was asked, the State Transportation Improvement Program (STIP), need to make clear this is not a new tax, need to address rail consolidation, Herndon & 99 being addressed, free transit service for Seniors and impact, the good process followed and this being a good compromise, and the great work of all involved. Ms. Goodwin, Mr. Reid and Assistant City Manager Rudd responded to questions and comments throughout.

On motion of Councilmember Dages, seconded by Acting President Perea, duly carried, RESOLVED, the above entitled Resolution No. 2006-250 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

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(9:15 A.M. "B") AUTHORIZATION TO PROCEED WITH THE FORMATION OF A UTILITY COMMISSION

Pubic Utilities Director Ramirez gave an overview of the issue, all as contained in the staff report as submitted.

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Councilmember Westerlund stated he had a concern with the language pertaining to forming a Special District, such as a Municipal Utility District, stating it sounded like that was a foregone conclusion and recommended the language be changed to an evaluation to determine if a Special District is the best way to go, with City Manager Souza responding. Councilmember Calhoun presented questions relative to the November date and how that was arrived at, stated he did not want this to get caught up in next year's budget and explained, and stressed this matter and the deadline dates must not slip, with Mr. Souza responding. Councilmember Boyajian stated a lot of money has been spent on this issue with the consultants and added he would not support a Commission as it was not needed and it would be driven by the Administration and/or staff like all other committees. Councilmember Dages expressed his support stating each member would be appointing someone and this would be a citizens commission, stated he could not see Council making any decision without the Commission's input, and recommended staff attend district meetings to address constituents on this matter.

On motion of Councilmember Dages, seconded by Councilmember Calhoun, duly carried, RESOLVED, staff authorized to proceed with the formation of a Utility Commission whose objective will be to develop and implement a community outreach and education program and recommend a five-year rate plan for all utility enterprises, as well as a formation plan for a Special Utility District, by the following vote:

Ayes : Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : Boyajian
 Absent : None

(9:15 A.M. "C") AWARD A CONTRACT IN THE AMOUNT OF \$2,198,752.26 FOR THE BASE BID PLUS ADD ALTERNATES 1 - 4 TO ADESTA OF SAN LEANDRO, CA, FOR CONSTRUCTION OF INFRASTRUCTURE FOR THE TRAFFIC SIGNAL SYNCHRONIZATION SYSTEM PHASE III

Traffic Engineering Manager Mozier stated the report as submitted was complete and staff was available to answer questions. Councilmember Calhoun complimented staff on this issue and questioned what changed to receive a lower bid after prior bids were rejected and what the downside was of not doing the west loop/99 portion. A motion and second was made to approve staff's recommendation. Councilmember Westerlund stated he was concerned this low bid was submitted with the intent for future change orders, with Mr. Mozier explaining what the bid was based on and added Purchasing did a good outreach effort and the plans and specifications were clear.

On motion of Councilmember Calhoun, seconded by Councilmember Dages, duly carried, RESOLVED, the contract as outlined above hereby awarded, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

(11:00 A.M.) PRESENTATION OF THE EMPOWERMENT ZONE ANNUAL REPORT BY FRANK GALLEGOS

Presentation made **(5 -0)**, and Mr. Gallegos responded to questions of Councilmember Westerlund relative to the program, results/jobs claimed, if there was any way to monitor claims with the federal government, if there was the ability to note when jobs can not be claimed, and how long the EZ has been in existence and when it would end. Councilmember Sterling thanked Mr. Gallegos for efforts in making the program as effective as possible and stated she has seen the benefit of the EZ in her district. There was no further discussion.

(9:15 A.M. "D") RESOLUTION NO. 2006-251 - SUPPORTING THE PROPOSED ESTABLISHMENT OF A MUNICIPAL

RESTORATION ZONE WITHIN THE CITY OF FRESNO AND DIRECTING STAFF TO PREPARE THE ENABLING DOCUMENTS

Interim Economic Development Director Johnson gave a PowerPoint presentation on the issue, all as contained in the staff report as submitted, and along with City Manager Souza responded to questions of President Duncan and Councilmembers Westerlund, Calhoun and Boyajian relative to whether measurements of success would be established, if goals would be set, incentives/credits and need for simplicity, concern with administration issues and double accounting, administrative duties and cost, benefits/criteria and meaning of "programmatically established", if this was a staff proposal and desire to have had an outside review, if certain developments would be prioritized, what outreach/advertising would occur, and this being a win-win for the inner city.

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On motion of Councilmember Sterling, seconded by Acting President Perea, duly carried, **RESOLVED**, the above entitled Resolution No. 2006-251 hereby adopted by the following vote:

Ayes :	Boyajian, Dages, Perea, Sterling, Westerlund, Duncan
Noes :	None
Absent :	None
Abstain :	Calhoun

LUNCH RECESS - 12:14 P.M. - 2:02 P.M.

(9:15 A.M. "E") RESOLUTION NO 2006-252 - ADOPTING FINDINGS REGARDING AN EMERGENCY EXEMPTION TO CEQA TO AWARD AN ADDITIONAL SIX MONTH EXTENSION TO THE EXISTING INTERIM SIX MONTH CONTRACT WITH McCARTHY FAMILY FARMS FOR THE BENEFICIAL REUSE OF A PORTION OF THE CITY'S BIOSOLIDS

Assistant Public Utilities Director Hogg reviewed the issue, all as contained in the staff report as submitted, and along with City Attorney Sanchez responded to questions of Councilmembers Westerlund and Calhoun relative to what the standard/section was to declare this emergency, if there was sufficient documentation for the exemption, requirements for disposal of Biosolids, why the process was not completed during the past six months, if a full CEQA analysis was needed, if time ran out, if another six months was enough time, and if providing the extension would not open the City up to a legal challenge.

On motion of Councilmember Westerlund, seconded by President Duncan, duly carried, **RESOLVED**, the above entitled Resolution No. 2006-252 hereby adopted, by the following vote:

Ayes :	Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes :	None
Absent :	None

(10:15 A.M.) HEARING ON REZONE APPLICATION NO. R-04-100 AND ENVIRONMENTAL FINDINGS, FILED BY THE TAYLOR GROUP ON BEHALF OF FRESNO CHRISTIAN SCHOOLS, PROPERTY LOCATED ON THE SOUTH SIDE OF E. ALLUVIAL BETWEEN N. CEDAR AND N. MAPLE AVENUES

1. CONSIDER AND ADOPT E.A. NO. R-04-100/C-04-273, FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR

2. BILL NO. B-87 - ORDINANCE NO. 2006-86 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM R-2/UGM/cz TO R-3/UGM

President Duncan announced the time had arrived to consider the issue, opened the hearing, and upon his question Planner Sanchez stated the staff report as submitted was complete and there was no new information to add.

Upon call, no one wished to be heard and President Duncan closed the hearing.

A motion and second to approve staff's recommendation was acted upon after brief comments of President Duncan in support of the project and questions of Councilmember Westerlund on the location, with Mr. Sanchez responding.

On motion of President Duncan, seconded by Acting President Perea, duly carried, RESOLVED, the above E.A. dated May 26, 2005, hereby approved, and the above entitled Bill No. B-87 rezoning the site adopted as Ordinance No. 2006-86, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

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(10:20 A.M.) HEARING TO CONSIDER REZONE APPLICATION NO. R-05-51 AND ENVIRONMENTAL FINDINGS, FILED BY RABE ENGINEERING, INC., ON BEHALF OF TOM SPINO, PROPERTY LOCATED ON THE EAST SIDE OF N. CORNELIA BETWEEN W. CLINTON AND W. SHIELDS AVENUES

1. CONSIDER AND ADOPT E.A. NO. R-05-51/T-5512, FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR

2. BILL NO. B-88 - ORDINANCE NO. 2006-87 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM RR TO R-1/UGM

President Duncan announced the time had arrived to consider the issue, opened the hearing, and upon his question an unidentified staff member stated the staff report as submitted was complete and there was no new information to add.

Upon call, no one wished to be heard and President Duncan closed the hearing.

Councilmember Boyajian stated his concerns previously expressed relative to the lack of an EIR to determine impacts and the lack of a plan for the west area applied here.

On motion of Councilmember Westerlund, seconded by Acting President Perea, duly carried, RESOLVED, the above E.A. dated April 13, 2006, hereby approved, and the above entitled Bill No. B-88 rezoning the site adopted as Ordinance No. 2006-87, by the following vote:

Ayes : Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : Boyajian
 Absent : None

(11:15 A.M.) DISCUSSION AND DIRECTION REGARDING PUBLIC UTILITIES RATES - PRESIDENT DUNCAN

1. RESOLUTION - APPROVING THE ESTABLISHMENT OF A COUNCIL POLICY TO INCREASE UTILITY FEES, i.e., WATER, SEWER/WASTEWATER, SOLID WASTE AND COMMUNITY SANITATION, AND DIRECTION RELATIVE TO PROCESS FOR INITIATION (NOT ADOPTED)

President Duncan clarified he scheduled this matter due to his frustration with the lack of any information provided to Council justifying the recommendation that there be no rate increases, advised he did receive information from the Budget Division detailing what would be required to raise rates for the next 12 months and explained, noted the Utility Commission was established earlier and they would start looking at issues but he did not feel things were going to get any better, and stated the structure was in place if Council wanted to raise rates this date but stated he did not feel it was the time to do that as he felt more information was needed.

Extensive discussion ensued. Councilmember Calhoun noted it had been known for some time that rates were being drawn down and this was a key year to increase the rates, and elaborated further on the issue and stated there was not much Council could do until the Commission does their job. Interim Public Utilities Director Ramirez, an unidentified staff member, and City Manager Souza responded to questions of Councilmember Westerlund at length relative to **(6 - 0)** the information received on the 45-day reserve calculations, what a 45-day reserve amounts to, the reserve amount operated on last year, what the impact would be on the operating budget with no fee increase until December, how the reserve number was arrived at, if rates would be higher to have a 45-day reserve in FY 2008, and the rate hikes proposed back in January by Interim Director Weimiller. Councilmember Westerlund expressed his disappointment stating this was a train wreck that has been coming and was in denial, stated there was now a Commission that would look at a 5-year plan and stated the City was getting behind the 8-ball, and stated he would hold staff's feet to the fire in coming back by the November timeframe.

Discussion continued with Mr. Ramirez, Mr. Souza and City Attorney Sanchez responding to questions/comments of Councilmembers Sterling, Dages, Boyajian, Westerlund and President Duncan, and/or clarifying issues relative to whether staff has, or if the Commission would be, looking at a program for people on fixed incomes and if staff could take that into consideration, need to keep Council informed of options looking at, if there was a reserve currently, need to show monthly increases when putting the structure together for clarity to the public, how the public will be notified of meetings, request that staff notify Council of meetings so Council can inform their neighborhood associations/committees, fuel increases, privatization, process that would occur if staff says an increase is needed, need to have started with incremental increases a few years ago, why Council could not make a decision next month on rate increase/what additional information was needed, if rates would be retroactive, request for information on all operating expenses from 4 years back, what the earliest date was for new rates, how rate charges can be expected to be reduced by 5% with the water division's power budget and city growth, the Millbrook/Ft. Washington water main failure repair cost was and what would happen if more situations like that occur with only a \$200,000 reserve, and

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when the idea of the Commission first came to be or first became a goal of the Administration. President Duncan stated it was unfortunate the City was being put in a position that seriously puts its' ability to provide services at risk, stated Council making an arbitrary decision would not be fair and further elaborated, and expressed his frustration, clarified the department was well-managed and this was not a reflection on staff, and stated he hoped the Commission can do its job. There was no further discussion.

(2:00 P.M.) CONTINUED BUDGET HEARING

President Duncan advised the current budget was \$1.4 million out of balance and he would be offering a couple of motions which would result in a balanced budget and explained, and spoke to the issue of economic development and stated he felt it was best to rescind the motion to add \$1 million in contingency for the Economic Development Department (EDD) as he felt it was going to get vetoed and further explained.

(7 - 0) On motion of President Duncan, seconded by Councilmember Westerlund, duly carried, **RESOLVED**, reconsideration of the Motion to add \$1 million in contingency for the EDD hereby approved, by the following vote:

Ayes	:	Calhoun, Dages, Sterling, Westerlund, Duncan
Noes	:	Boyajian, Perea
Absent	:	None

A motion of President Duncan, seconded by Councilmember Westerlund, to add \$1 million in contingency for the EDD failed, by the following vote:

Ayes	:	Boyajian, Perea
Noes	:	Calhoun, Dages, Sterling, Westerlund, Duncan
Absent	:	None

President Duncan spoke to video policing, made a motion to fund the program at \$1 million (which was seconded by Councilmember Westerlund), and along with Deputy Chief Enmark responded to questions of Councilmember Sterling relative to the motion, grant funding available, request to change the \$1 million to \$800,000, and the upcoming Gang Task Force motion.

Councilmember Calhoun stated he would vote "No" as he did not want the program funded at any amount.

A motion of President Duncan, seconded by Councilmember Westerlund, to fund the Video Policing Program at \$1 million failed, by the following vote:

Ayes	:	Westerlund, Duncan
Noes	:	Boyajian, Calhoun, Dages, Perea, Sterling
Absent	:	None

Councilmember Sterling made a motion to fund the Video Policing Program at \$800,000, brief discussion ensued, and City

Attorney Sanchez clarified issues relative to the motion.

A motion of Councilmember Sterling, seconded by President Duncan, to fund the Video Policing Program at \$800,000 failed, by the following vote:

Ayes	:	Sterling, Westerlund, Duncan
Noes	:	Boyajian, Calhoun, Dages, Perea
Absent	:	None

President Duncan made a motion to fund the Mayor's Gang Task Force in the amount of \$900,000 stating that was still a tremendous amount of money for a start up program and further explained. Councilmember Westerlund seconded the motion stating it was a good start and clarified the attempt here was to send a balanced budget back to the Mayor and explained. Councilmember Calhoun stated the budget was not bad, it was not "out of whack" by millions of dollars, and added compromises already took place and further elaborated on the issue.

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A motion of President Duncan, seconded by Councilmember Westerlund, to fund the Mayor's Gang Task Force at \$900,000 failed, by the following vote:

Ayes	:	Westerlund, Duncan
Noes	:	Boyajian, Calhoun, Dages, Perea, Sterling
Absent	:	None

Councilmember Westerlund noted there was a \$174,500 surplus in the CDBG budget and made a motion to allocate \$170,000 for street resurfacing in CDBG areas, which motion was seconded by Councilmember Boyajian. Councilmember Calhoun questioned if this was the best use of these funds, stated every last cent was being poured into streets and he did not know what other needs were out there, and questioned where staff would apply these dollars besides streets, with Councilmember Westerlund and City Manager Souza responding. Councilmember Sterling agreed with Councilmember Calhoun, noted there was the possibility of having Measure "C" money in November, and stated there were other appropriate uses for the funds. Councilmember Boyajian concurred this was not be the best use but stressed Council would never support putting the money where it should be and explained. Budget Manager Smith and Mr. Souza responded to questions of Councilmember Dages relative to whether the funds could be used for the Community Sanitation fund deficit and blight removal.

On motion of Councilmember Westerlund, seconded by Councilmember Boyajian, duly carried, RESOLVED, \$170,000 of CDBG funds hereby allocated to street resurfacing in CDBG areas, by the following vote:

Ayes	:	Boyajian, Perea, Westerlund, Duncan
Noes	:	Calhoun, Dages, Sterling
Absent	:	None

Councilmember Calhoun stated Council has gone on record twice supporting higher education and noted the motion to support the Central Valley Higher Education Consortium was lost and he wanted it reconsidered.

A motion and second was made to reconsider funding the Central Valley High Education Consortium at \$85,000. Councilmember Sterling clarified her concern originally was with the mechanics and location but she was fine with it now after receiving information. Councilmember Dages questioned what was going on, if Council was going to be reconsidering all the motions that failed, and what direction Council was taking here, and stressed this was getting out of hand, with President Duncan responding.

A motion of Councilmember Calhoun, seconded by Councilmember Sterling, to reconsider the motion to allocate \$85,000 to the Central Valley Higher Education Consortium failed, by the following vote:

Ayes	:	Calhoun, Perea, Sterling
Noes	:	Boyajian, Dages, Westerlund, Duncan
Absent	:	None

("A") **ACTION ON THE ON THE FY 2006-07 BUDGET AND RELATED ITEMS:**

1. RESOLUTION NO. 2006-253 - ADOPTING THE FY 2006-07 CITY OF FRESNO BUDGET, INCLUDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET AND THE ANNUAL APPROPRIATION RESOLUTION (AAR)

On motion of Councilmember Sterling, seconded by Councilmember Boyajian, duly carried, RESOLVED, the above entitled Resolution No. 2006-253 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

2. RESOLUTION NO 2006-254 - ADOPTING THE FY 2007 POSITION AUTHORIZATION RESOLUTION (PAR)

On motion of Acting President Perea, seconded by Councilmember Dages, duly carried, RESOLVED, the above entitled Resolution No. 2006-254 hereby adopted, by the following vote:

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Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

3. RESOLUTION NO 2006-255 - ADOPTING THE 440TH AMENDMENT TO THE MASTER FEE SCHEDULE (MFS) RESOLUTION NO. 80-420

On motion of Councilmember Boyajian, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled Resolution No. 2006-255 hereby adopted, by the following vote:

Ayes : Boyajian, Dages, Perea, Sterling, Westerlund
 Noes : Calhoun, Duncan
 Absent : None

4. BILL NO. B-89 - ORDINANCE NO. 2006-88 - ADOPTING THE PROPERTY TAX OVERRIDE ORDINANCE (PTO)

On motion of Councilmember Dages, seconded by Acting President Perea, duly carried, RESOLVED, the above entitled Bill No. B-89 adopted as Ordinance No. 2006-88, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

5. RESOLUTION NO. 2006-256 - SELECTION OF METHODOLOGY FOR DETERMINATION OF FY 2007 GANN APPROPRIATION LIMIT

On motion of Acting President Perea, seconded by Councilmember Dages, duly carried, RESOLVED, the above entitled Resolution No. 2006-256 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

6. RESOLUTION NO. 2006-257 - FY 2007 SALARY RESOLUTION (ESTABLISHING RULES FOR THE APPLICATION OF CITY EMPLOYEE COMPENSATION RATES AND SCHEDULES AND RELATED REQUIREMENTS, AND ESTABLISHING COMPENSATION RATES AND SCHEDULES)

A motion and second was made to adopt the Resolution.

Personnel Director Bond and City Manager Souza responded to questions/comments/concerns of Councilmember Boyajian relative to salary rates, the salary ranges and step increases, how long it takes to reach top pay steps, concern with huge increases, who determines top step amounts, what the criteria is for the ranges, the City Manager having a lot of discretion, and need for additional information.

On motion of President Duncan, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled Resolution No. 2006-257 hereby adopted, by the following vote:

Ayes	:	Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes	:	Boyajian
Absent	:	None

7. RESOLUTION NO. 2006-258 - APPROVING SUBMISSION OF THE FY 2007 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE USE OF CDBG, HOME, EMERGENCY SHELTER GRANT (ESG), AND AMERICAN DREAM DOWN PAYMENT INITIATIVE (ADDI) PROGRAM FUNDS, AND AUTHORIZING THE CITY MANAGER TO SIGN ALL IMPLEMENTING DOCUMENTS BY HUD

Upon question of Councilmember Westerlund, City Manager Souza confirmed any additions/changes would be included **(8 - 0)**.

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On motion of Councilmember Westerlund, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled Resolution No. 2006-258 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Dages, Perea, sterling, Westerlund, Duncan
Noes	:	None
Absent	:	None

(3-A) INTRODUCTION OF RESOLUTION PROCLAIMING ENDORSEMENT OF THE U.S. MAYORS' CLIMATE PROTECTION AGREEMENT - COUNCILMEMBER CALHOUN

Introduced and laid over to July 18, 2006.

(3-B) CONSIDER INCREASE IN COUNCIL SALARIES/COMPENSATION - COUNCILMEMBER BOYAJIAN

Councilmember Boyajian spoke to the history of the issue and stated the city was growing and Council duties had increased, stated increasing salaries would result in more people running for office and give people the opportunity to work on a full-time basis and be independent, and upon his question City Attorney Sanchez advised Council could either stay with the procedure of the Civil Service Board making recommendations or direct staff to amend the compensation ordinance allowing Council to set a new rate. Councilmember Boyajian clarified he was not running for office and he was not doing this for himself or anyone else but was doing it for the good of the institution of the City Council and the ability to bring in more people to run and put a full-time emphasis on the job.

Councilmember Calhoun apologized for erring stating he always thought Councilmembers could not vote on and take a raise for themselves, stated salaries were a reasonable expectation but not the sole expectation and explained, stated if this was going to be considered the Mayor should not be isolated as he was also part of the team, and stated he was unclear as to what was before Council and upon his question Mr. Sanchez clarified at issue was an increase in compensation and advised an appropriate motion would be for Council to direct the City Attorney's office to prepare and return with an ordinance amending the process for the setting of Council members' compensation consistent with Councilmember Boyajian's memo to Council, whereupon a motion and second was made and later amended.

Councilmember Westerlund stated Fresno was not a small town anymore, members were not dealing with peanuts but with a \$900 million budget requiring people who could look at it professionally and invest the time, energy and effort needed, and stated he would support the motion but only with an amendment to include a raise to \$130,000 for the Mayor as he felt increases should be made across the Board. Upon question, Mr. Sanchez clarified only direction was being given this date so including the Mayor would be appropriate, whereupon the amendment was accepted by the motion-makers.

On motion of Councilmember Boyajian, seconded by Councilmember Sterling, duly carried, RESOLVED, the City Attorney's office directed to prepare and return with an ordinance amending the process for the setting of Councilmember and Mayor compensation to increase Councilmembers' compensation to \$65,000 and the Mayor's to \$130,000), by the following vote:

Ayes : Boyajian, Dages, Perea, Sterling, Westerlund
 Noes : Calhoun
 Absent : None
 Abstain : Duncan

The City Council recessed at 4:14 p.m. and convened in regular session as the Redevelopment Agency.

(2:15 P.M.) REGULAR MEETING OF THE REDEVELOPMENT AGENCY

APPROVE AGENCY MINUTES OF JUNE 20, 2006

On motion of Member Westerlund, seconded by Member Dages, duly carried, RESOLVED, the Agency minutes of June 20, 2006, approved as submitted.

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(B-1) RESOLUTION NO. 1681 - APPROPRIATING THE FY 2007 BUDGET TO THE REDEVELOPMENT AGENCY IN THE AMOUNTS SET FORTH FOR APPROVED PROJECTS, ACTIVITIES AND OTHER SUCH PURPOSES AND EXPENDITURES AS MAY BE BUDGETED BY THE AGENCY

Director Murphey gave a brief overview of the issue, all as contained in the staff report as submitted.

On motion of Member Westerlund, seconded by Member Duncan, duly carried, RESOLVED, the above entitled Resolution No. 1681 hereby adopted, by the following vote:

Ayes : Boyajian, Dages, Duncan, Perea, Westerlund, Sterling
 Noes : Calhoun
 Absent : None

(B-2) APPROVE THE ALLOCATION OF \$50,000 FOR THE "\$250K ENTREPRENEURIAL OPPORTUNITY COMPETITION"
1. MINUTE RESOLUTION - APPROPRIATING THE \$50,000 CONTINGENT UPON RECEIPT OF MATCHING FUNDS FROM THE PRIVATE SECTOR

Director Murphey gave a brief overview of the issue, all as contained in the staff report as submitted.

Member Westerlund stated there was a problem here as he believed this was a contribution to a charitable organization which was prohibited by the California State Constitution, with City Attorney Sanchez responding and clarifying it was in the purview of the Redevelopment Board to make the finding of public benefit here. Upon further question Mr. Sanchez stated the business would have to comply with all of the Redevelopment law requirements. Member Westerlund stated that cleared the legal hurdles but advised he still could not support "throwing hay in the wind" with the hope that something will happen. Member Calhoun stated he disagreed with Member Westerlund, HE felt this was a great idea and an exciting concept, and he felt the City would realize a huge benefit. Chair Sterling also stated this was a great idea and opportunity to provide employment opportunities and put people to work.

City Clerk Klisch clarified this action was being carried out by way of a Minute Resolution and not a formal resolution; Mr. Sanchez clarified the findings were the public benefits of job creation and elimination of blight; and Member Westerlund clarified the appropriation would be contingent upon compliance with all Redevelopment Agency law, rules and regulations.

On motion of Member Dages, seconded by Member Perea, duly carried, RESOLVED, the appropriation of \$50,000 to the "\$250K Entrepreneurial Opportunity Competition" hereby approved based on the public benefit findings and contingent upon (1) receipt of matching funds from the private sector and (2) compliance with all Redevelopment Agency laws, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling
 Noes : Duncan, Westerlund
 Absent : None

(A) CONSIDER A LICENSE AGREEMENT WITH CROWN CONTRACTING COMPANY, INC. FOR THE TEMPORARY USE OF AGENCY-OWNED VACANT PROPERTY AT BACKER AND KINGS CANYON ROAD (APN 470-081-06), AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE LICENSE AGREEMENT

Executive Director Murphey gave a brief overview of the issue, all as contained in the staff report as submitted, and recommended approval. Member Dages clarified this action was to ensure both parties are insured and covered.

On motion of Member Dages, seconded by Member Perea, duly carried, **RESOLVED**, a License Agreement with Crown Contracting Company, Inc., hereby approved, and the Executive Director authorized to enter into the License Agreement, by the following vote:

Ayes : Boyajian, Calhoun, Dages Duncan, Perea, Westerlund, Sterling
 Noes : None
 Absent : None

(B) CONSIDER BIDS RECEIVED FOR THE DEMOLITION AND CLEARANCE OF BUILDINGS AT 1260 "A" STREET

Executive Director Murphey gave a brief overview of the issue, all as contained in the staff report as submitted, and recommended rejection of the bids.

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On motion of Member Duncan, seconded by Member Westerlund, duly carried, **RESOLVED**, all bids received for the project hereby rejected, by the following vote:

Ayes : Boyajian, Dages Duncan, Perea, Westerlund, Sterling
 Noes : Calhoun
 Absent : None

The Redevelopment Agency adjourned their meeting at 4:26 p.m. and the City Council reconvened in regular session.

(2:30 P.M.) CLOSED SESSION:

("A") CONFERENCE WITH LEGAL COUNSEL/ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION:
 COUNTY OF FRESNO V. COF CLAIM; COF V. COUNTY OF FRESNO CLAIM

("B") CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - CASE NAMES:

1. COG V. FRESNO CERTIFIED DEVELOPMENT CORPORATION
2. COF V. JOYCE ANNE SHUMAKER
3. HOLLY LOUEN V. BRIAN TWEDT; HOLLY LOUEN V. BRIAN TWEDT AND COF; BRIAN TWEDT V. HOLLY LOUEN - FIFTH APPELLATE DISTRICT CASE; BRIAN TWEDT AND VICKI TWEDT V. LAURA GUZMAN-MAGILL & MIKE LOUEN
4. DAVID ANTHONY RENDON V. POLICE DEPARTMENT, ET AL; GABRIEL AND REBECCA RODRIGUEZ V. COF, ET AL; LUPE E. MARTINEZ AND RALPH C. RENDON V. COF

("C") CONFERENCE WITH LABOR NEGOTIATOR - EMPLOYEE ORGANIZATIONS:

1. FRESNO POLICE OFFICERS' ASSOCIATION (FPOA)
2. AMALGAMATED TRANSIT UNION, LOCAL 1027 (ATU)
3. CITY OF FRESNO PROFESSIONAL EMPLOYEES ASSOCIATION (CFPEA)
4. CITY OF FRESNO MANAGEMENT EMPLOYEES ASSOCIATION (CFMEA)

The City Council met in closed session in Room 2125 at the hour of 4:30 p.m. to consider the above matters and adjourned thereafter.

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 6:05 p.m. having arrived and hearing no objections, President Duncan declared the meeting adjourned to Monday, July 17, 2006, at 2:00 p.m.

Approved on the _____ 18th _____ day of _____ July _____, 2006.

_____/s/_____ Jerry Duncan, Council President	ATTEST: _____/s/_____ Yolanda Salazar, Assistant City Clerk
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